



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

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COMMISSION

2015 NOV 17 AM 11:11

**CELA**

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3 TO: The Commission  
4  
5 FROM: Kathleen Guith  
6 Acting Associate General Counsel for Enforcement  
7  
8 Stephen Gura *SG*  
9 Deputy Associate General Counsel  
10  
11 BY: William Powers *WP, AG*  
12 Assistant General Counsel  
13  
14 Elena Paoli *EP*  
15 Attorney  
16  
17 SUBJECT: MUR 6956 (Espaillat for Congress)  
18 Pre-Probable Cause Conciliation  
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21 On August 11, 2015, the Commission found reason to believe that Espaillat for Congress  
22 and Rafael Lantigua in his official capacity as treasurer ("Respondent" or "Committee") violated  
23 52 U.S.C. § 30116(f) by failing to timely refund excessive primary election contributions totaling  
24 \$15,790 and general election contributions totaling \$22,550 after the candidate lost the 2014  
25 primary election. See Certification, MUR 6956 (Aug. 11, 2015). The Commission also  
26 authorized pre-probable cause conciliation; attached is a revised conciliation agreement that  
27 would resolve the violation.  
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29 This matter stemmed from a RAD Referral. Before being referred for enforcement,  
30 Respondent had begun to make late refunds. See F&LA p. 1-2.  
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7 We believe that this agreement sufficiently vindicates the Commission's enforcement  
8 interests under the circumstances presented in this matter. Therefore, we recommend that the  
9 Commission accept the attached signed conciliation agreement and close the file.

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11 **I. RECOMMENDATIONS**

- 12  
13 1. Accept the attached signed conciliation agreement with Espaillat for Congress and  
14 Rafael Lantigua in his official capacity as treasurer.  
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16 2. Approve the appropriate letter.  
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18 3. Close the file.  
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